

EPC COMMISSION MINUTES & AGENDA

MONTH September

YEAR 1986

ADM-1-1-1
September

MINUTES
ENVIRONMENTAL PROTECTION COMMISSION
Wallace State Office Building
Des Moines, Iowa
September 15, 1986

MEMBERS PRESENT

Richard Timmerman, Linda Appelgate, Clark Yeager, Donna Hammitt, Keith Uhl, Charlotte Mohr, Nancy Lee Siebenmann, Robert Schlutz.

MEMBERS ABSENT

Wayne Gieselman, Gary Priebe, Catherine Dunn.

PUBLIC ATTENDING

Robert Wattm, Amana Refrigeration, Inc., Amana; Bill Molison, City of Des Moines, Des Moines; Marjorie Denison, Cedar Rapids Gazette, Sioux City; Bill Haigh, Senate Democratic Caucus Staff, Des Moines; Dave Meyers, Department of Management, Des Moines.

ADOPTION OF AGENDA

Motion was made by Nancy Lee Siebenmann to adopt the agenda as presented. Seconded by Clark Yeager. Motion carried unanimously.

ADOPTION OF MINUTES

Motion was made by Charlotte Mohr to approve the minutes of August 8 as presented. Seconded by Clark Yeager. Motion carried unanimously.

DIRECTOR'S REPORT

We are making progress on the FY 88 budget. A description of performance measures must accompany the FY 88 budget request, as per the mandate from the legislature. I want to emphasize that our budget outlook for this department is not good. In the Environmental Protection Division, federal funds will help alleviate some of the financial stress; but this division, like all others in the departments, has to prepare a budget that is 75% of the FY 87 budget, then prioritize budget decision packages to bring the funding level up to the amount for the current fiscal year. There is absolutely no guarantee of how successful we will be in receiving the funds for the total program we have put together. Other divisions in the department with few, if any, federal funds, are worse off. As we prepare for the 1987 legislature, we need to be cognizant of the financial restraints and watch closely additional mandates put on us by the legislature without funding to perform and accomplish these responsibilities.

We are now 73 days into reorganization, and every week we continue to improve the department. Most all of our employees are to be commended for the good positive and cooperative attitude they have in these times.

Staff is working on a new emblem for the DNR. These will show up first on vehicles and officers' uniforms, and gradually prevail throughout the department. You will be one of the first to see it.

We are going to be working up a five-year plan to illustrate what the department's financial needs are. Mostly this will address facility maintenance and development, but all divisions will have an opportunity to be included. Hopefully, this will improve our success in obtaining some long-term, dependable capital financing for the agency.

Finally, the current issue of the Iowa Sierran has an article on an interview I had with their reporter that may be of interest to you.

FEDERAL FISCAL YEAR 1987 GRANT APPLICATIONS

Stan Kuhn, Division Administrator, Administrative Services Division, presented the following item.

The Department requests approval of grant applications to be submitted to the U. S. Environmental Protection Agency for Federal Fiscal Year 1986 funds (October 1, 1986 - September 30, 1987). Grant amounts are as follows:

<u>Program</u>	<u>Federal Share</u>	<u>State Share</u>
Air Quality	\$ 689,000	\$ 281,050
Wastewater	780,000	467,000
Water Supply	415,500	138,500
Water Quality Planning (205j)	450,000	
Construction Grants	1,324,400	
LUST	175,000	25,000
Ground Water	100,000	
Total	\$3,933,900	\$ 911,550

Motion was made by Linda Appelgate for approval of federal FY 1987 grant applications. Seconded by Clark Yeager. Motion carried unanimously.

ANNUAL COMPUTER USAGE AGREEMENTS WITH THE U. S. ENVIRONMENTAL PROTECTION AGENCY

Stan Kuhn, Division Administrator, Administrative Services Division, presented the following item.

The Department annually enters into computer agreements with the U. S. Environmental Protection Agency (EPA) for computer time on various established EPA data systems. Such access provides the Department with data and data handling services by paying only for computer time thus saving programming and data storage costs. Below is a listing of all data systems and costs for agreement renewal. All agreements listed would be renewed for the period 10/1/86 - 9/30/87. Some of the systems listed are used at no cost to the agency. They are funded through a credit from EPA.

<u>Data System</u>	<u>Cost to DWAWM</u>	<u>EPA Credit</u>	<u>Total Cost</u>
1. Model State Information System (MSIS)	\$ 30,000	\$ 0	\$ 30,000
2. Compliance Data System (CDS)	6,000	0	6,000
3. Air Quality Modeling System (AQMS)	2,000	0	2,000
4. Water Quality Storage and Retrieval System (STORET)	0	4,000	4,000
5. Emissions Inventory Systems (EIS) and Air Quality Data Handling System II (AQDHSII)	0	20,000	20,000
6. National Emissions Data System (NEDS)	0	Unlimited	Unlimited
7. Storage and Retrieval of Aerometric Data System (SAROAD)	<u>0</u>	<u>Unlimited</u>	<u>Unlimited</u>
Total Costs	\$ 38,000	\$ 24,000	\$ 62,000

Background:

The costs are maximum limits. Actual costs will be based on actual computer time used. Below is a listing and description of each system.

1. Model State Information System (MSIS): Processes water supply analytical data (bacteriological, chemical and radiological) to monitor compliance with the Safe Drinking Water Act. MSIS also assists the Department in complying with annual federal reporting requirements.
2. Compliance Data System (CDS): Processes point source emission data and events to assist the Department in tracking enforcement activities and meeting federal reporting requirements.
3. Air Quality Modeling System (AQMS): Allows the Department access to a number of EPA air quality modeling systems as needed. These modeling systems allow the Department to simulate air pollution situations and obtain potential air contaminant information which would result from the situation.
4. Water Quality Storage and Retrieval System (STORET): Collects water quality data which is used by the Department in monitoring stream quality and developing waste load allocations and water quality standards.
5. Emissions Inventory System (EIS): EPA has hired a contractor to assist the Department in building an Emissions Inventory System. The Clean Air Act requires that an emission inventory be maintained.

Air Quality Data Handling System II (AQDHSII): Processes ambient air quality and meteorological data collected from various sites throughout

the state for various pollutants. Detail and summary reports are generated by site and monitoring parameter on a monthly basis which compare results with state and federal standards to assist the Department in monitoring and controlling atmospheric pollution. EPA requires that Iowa provide them with the data in this system.

6. National Emissions Data System (NEDS): This system will be used by the Department to estimate total emissions from point source emissions survey data.
7. Storage and Retrieval of Aerometric Data System (SAROAD): Processes ambient air monitoring data from the AQDHSII system and produces monthly and quarterly detail and summary reports. The system is run in parallel with AQDHSII producing statistics which correspond to state and federal standards that AQDHSII does not produce.

Motion was made by Charlotte Mohr for approval of the annual computer usage agreements with the U. S. Environmental Protection Agency. Seconded by Donna Hammitt. Motion carried unanimously.

RULEMAKING STATUS REPORT

Allan Stokes, Division Administrator, Environmental Protection Division, presented the following item.

This is an informational item, and agency staff will respond to questions, if any, from the Commission.

IOWA DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION COMMISSION
RULEMAKING STATUS REPORT
September 1, 1986

1. Chapter 1 - Commission Operation
Draft To Commission: 9/15/86
2. Chapter 61 - Rock River Reclassification
Draft To Commission: 3/18/86 Rule Adopted: 7/29/86
Notice Published: 4/9/86 Rule Published: 8/27/86
Rules Review Committee: 9/10/86 Rule Effective: 10/1/86
Hearing: 4/30/86
Summary of Comments & Recommendation
To Commission: 7/29/86
3. Chapter 42 - SOC Monitoring
Draft To Commission: 8/18/86 Rule Published: 9/10/86
Rule Adopted: 8/18/86 Rule Effective: 8/22/86
4. Chapter 62 - Effluent Standards
Draft To Commission: 8/18/86 Rule Published: 9/10/86
Rule Adopted: 8/18/86 Rule Effective: 10/15/86
5. Chapter 64 - Design Standards (19)
Draft To Commission: 4/22/86 Rules Review Committee: 7/10/86
Notice Published: 5/21/86 Hearing: 6/10/86

6. Chapter 69 - Private Sewage Systems
 Draft To Commission: 4/22/86
 Notice Published: 5/21/86
 Rules Review Committee: 6/10/86
 Hearing: 6/10/86
7. Chapter 135 - Underground Tank Monitoring
 Draft To Commission: 5/20/86
 Notice Published: 6/18/86
 Rules Review Committee: 7/2/86
 Hearing: 7/8/86
8. Chapter 140, 151 - Hazardous Waste Sites
 Draft To Commission: 7/29/86
 Notice Published: 8/27/86
 Rules Review Committee: 9/10/86
 Hearing: 9/18/86

Mr. Stokes reported that we have had three public meetings on the Hazardous Waste Sites rule and have scheduled a public hearing for September 18. There was almost no turnout for these meetings. The Des Moines meeting was attended by two people, one made comments. The Council Bluffs and Davenport meetings were attended by a total of three people who did not make comments.

Mr. Stokes stated that the Commission could expect to see the Underground Storage Tank rules come before them for consideration at the next meeting, as well as the Design Standards Rule and Private Sewage Systems rule. The department is also working on the Agricultural Feedlot rules which will be presented in October.

VARIANCE REPORT

Allan Stokes, Division Administrator, Environmental Protection Division, presented the following item.

This is an informational item, and agency staff will respond to questions, if any, from the Commission.

SURFACE & GROUND WATER PROTECTION BUREAU VARIANCES

August 16, 1986 - September 1, 1986

<u>No.</u>	<u>Entity</u>	<u>Engineer/Applicant</u>	<u>Subject</u>	<u>Decision</u>	<u>Date</u>
	<u>WATER SUPPLY CONSTRUCTION</u>				
	None				
1	<u>WASTEWATER CONSTRUCTION</u>				
	Orange City	Municipal Engineering	Design Flow	Denied	8/28/86
	<u>FLOODPLAIN</u>				
	None				
	<u>WASTEWATER OPERATIONS</u>				
	None				
	<u>WATER SUPPLY OPERATIONS</u>				
	None				

AIR QUALITY
None

SOLID WASTE
None

Mr. Stokes stated there was only one variance action, that being the area of wastewater construction for Orange City and denial of a variance on design flow for their sewage treatment plant. Subsequent to that, the city has just recently approved proceeding with an aerated lagoon system.

ENFORCEMENT STATUS REPORT

Allan Stokes, Division Administrator, Environmental Protection Division, presented the following item.

This is an informational item, and agency staff will respond to questions, if any, from the Commission.

The following enforcement actions were taken last month:

Name, Location and Field Office Number	Program	Alleged Violation	Action	Date
Broken Arrow Lounge Owasa (2)	Drinking Water	Failure To Monitor - Bacteria	Order/ Penalty	7/31/86
Clear Lake, City of (2)	Wastewater	Plan Of Action	Order	8/1/86
Earling, City of (4)	Wastewater	Plan Of Action	Order	8/21/86
Fetzer's Standard Williamsburg (6)	Drinking Water	Failure To Monitor - Bacteria	Order/ Penalty	8/1/86
Farmers Mutual Coop Co. Hospers (3)	Wastewater Solid Waste	Prohibited Discharge Hazardous Conditions	Order	8/21/86
Griffin Pipe Products Co. Council Bluffs (4)	Wastewater	Effluent Limits	Order	8/21/86
Iowa Public Service Co. Sioux City (3)	Air	Opacity	Order/ Penalty	8/21/86
Jetter, William Clinton (6)	Solid Waste	Operation Without Permit	Order Penalty	8/4/86
Kopper Kettle, Inc. Minden (4)	Drinking Water	Failure To Monitor - Bacteria	Order/ Penalty	7/31/86
Kula, Bernard and Tom; Boge, Kathy Martelle (1)	Solid Waste	Open Dumping	Order/ Penalty	8/21/86
Loyal Order Of The Moose Ames (5)	Drinking Water	Failure To Monitor - Bacteria	Order/ Penalty	7/31/86
Peace Reformed Church Garner (2)	Drinking Water	Failure To Monitor - Bacteria	Order/ Penalty	7/31/86

Scenic City Motel Iowa Falls (2)	Drinking Water	Failure To Monitor - Bacteria	Order/ Penalty	7/31/86
Southwest Multi-County Washington (6)	SLF Solid Waste	Operation	Order/ Penalty	8/21/86
Stacyville, City of (2)	Wastewater	Plan Of Action	Order	8/21/86

The following administrative penalties are due:

Name	Amount	Due Date
*Otter Creek Station	\$ 189	5/9/86
*New Shack Tavern	230	5/13/86
*Jungling Farms	800	5/17/86
Orchard MHP	62	7/29/86
4-Way Tap	62	8/1/86
Kit Kat Club	62	8/2/86
Club Ced Red	62	8/2/86
Riviera, Ltd.	62	8/2/86
Gypsy Dell Supper Club	62	8/3/86
Fred Carlson Co.	1,000	9/14/86
Neola Light and Water	112	9/23/86
Peace Reformed Church	62	10/4/86
Broken Arrow Lounge	186	10/4/86
Kopper Kettle, Inc.	236	10/5/86
William Jetter	1,000	10/6/86
Iowa Public Service	1,000	10/24/86
Kula and Boge	1,000	--
Dodd/Huber/Rinehart	800	--

The following administrative penalties have been appealed:

Name	Amount
Iowa Power and Light	\$ 1,000
Karen's Cafe	224
Finlan Landfill	1,000
Besch/Ralston	500
Woodland Park	1,000
IBP/Langenfeld	1,000
Dennis Sharkey	1,000

The following administrative penalties were paid in August:

Name	Amount
*Outside Inn	\$ 124
Burr Oak Motel	50
*Ribeye and Rye	62
Robert Abild	600
Bozarth and Bell	400
Richard Baxter	300
Terrace Hill Sanitary District	400

*Referred To Attorney General

Franklin County SLF	800
Welp, Inc.	500
Moose Lodge (Ames)	62
Scenic City Motel	62
Fetzer's Standard	50
The Wagon Wheel	62

Penalties were rescinded for:

Name

Sportsman Inn
Central Baptist Church
Moonshine Tap

Department of Natural Resources
Environmental Protection Commission
Attorney General Referrals
September 1, 1986

Name, Location and Region Number	New or Updated	Program	Alleged Violation	DNR Action	Status	Date
Aiken Corporation Council Bluffs (4)		Hazardous Waste	Release of Hazardous Substances	Referred to Attorney General	Referred	12/16/82
Bryant, Robert E. Charoak (5)		Wastewater	Prohibited Discharge	Order	Referred	6/01/86
Ellers, Duane Waterloo (1)		Flood Plain	Unauthorized Fill	Referred to Attorney General	Referred Suit Filed	6/19/84 11/01/85
Ward County Solid Waste Comm. Eldora (2)		Solid Waste	Operation Violations	Order	Referred Suit Filed	12/27/84 3/18/85
Hill Top Feed Yards, Inc. Pottawattamie County (4)		Wastewater	Feedlot Lagoon Discharge	Order	Referred Suit Filed	9/16/85 1/23/86
Iowa Valley Mobile Estates		Water Supply	Monitoring Operation Without Permit	Referred to Attorney General	Referred Suit Filed	11/27/84
Jungling Farms, Inc. Butler County (2)		Wastewater	Prohibited Discharge	Order	Referred	7/31/86
Karrwood Mobile Home Park Mediavon (6)		Drinking Water	Operation Without Permit; Failure to Monitor	Order	Referred Default Judgment?	3/22/84 12/18/84
Kochut/Ogilvie Mills (6)		Wastewater	Discharge Violations	Order/Referral	Referred	7/31/86
New Stock Tavern Onder Rapids (1)		Water Supply	Penalty/Monitoring	Order	Referred	7/31/86
Osborne, H.B. Tama (3)	Updated	Flood Plain	Unauthorized Construction	Remedial Permit Granted	Petition for Jud. Rev. Supreme Court Affirmed Compliance Achieved	8/86
Otter Creek Station Zeligie (1)		Water Supply	Penalty/Monitoring	Order	Referred	7/31/86

Parker, A.J. Diagonal (4)		Solid Waste	Operation Violations at Permitted Site	Order	Referred Injunction Issued Compliance Date	5/21/79 2/28/80 5/21/81
Peter Derby Oil Company Davenport (6)		Wastewater	Prohibited Discharge	Referred to Attorney General	Petition Filed Judgment Amended Cleanup Plan Approved	5/83 10/12/84 10/24/84 1/27/86
Salisbury, Ronald, Presto-X Des Moines (5)		Hazardous Waste	Treatment and Storage Violations	Referred to Attorney General	Referred Judgment Appealed to Sup. Ct.	9/18/84 5/86 7/86
Schmidt vs. IDWAM Fr. Dodge (2)		Hazardous Waste	None - Judicial Review	Declaratory Ruling	Suit Filed Briefs Filed	10/01/85 1/15/86
Wisconsin Barge Service Clinton (6)		Wastewater	Prohibited Discharge	Referred to Attorney General	Referred Suit filed	11/20/85 7/86
Wittstock, Arlo Union County (4)		Flood Plain	None - Judicial Review	Permit issued	Petition for Judicial Review	6/24/86
Willison, Robert C. Buena Vista and Cherokee Counties (3)	Updated	Wastewater	Prohibited Discharge	Order	Referred Hearing Consent Order Contempt Finding Contempt Finding	11/27/84 4/22/85 4/25/85 7/02/85 9/25/86
Woodland Park Jones County (1)		Wastewater	Prohibited Discharge	Order	Referred	8/31/86
Woodside Mobile Home Estates Mount Pleasant (6)		Drinking Water	Failure to Monitor	Order	Referred Suit Filed	5/31/85 1/24/86
Yocum, Max Johnson (6)		Flood Plain	Prohibited Construction	Defending	Suit Filed Motion to Dismiss Denied	12/18/84 3/06/85 8/07/85
				Referred to Attorney General	Referred Counter Claims Filed	7/12/85 10/85

Mr. Stokes reported that this report is somewhat different than what had previously been provided. Rather than giving the same report over and over each month, we will simply provide the additional enforcement actions which had been taken since last month's report. These could be added to the base report which you already have.

CONTESTED CASE REPORT

Allan Stokes, Division Administrator, Environmental Protection Division, presented the following item.

This is an informational item, and agency staff will respond to questions, if any, from the Commission.

Department of Natural Resources
Environmental Protection Commission
Contested Cases
September 1, 1986

DATE RECEIVED	NAME OF CASE	ACTION APPEALED	PROGRAM	ASSIGNED TO	STATUS
10-26-85 1-20-86	Frit Industries	Administrative Order Hazardous Waste Registry	HW	Landa	Settlement closed.
9-14-84	Belmond, et. al.	Administrative Order	HC	Landa	Proposed decision 11-4-85; appealed.
9-28-84	Emmet County	Permit issuance	FP	Clark	Negotiating before filing, settlement close.
5-01-85	Northwestern States Cement	Administrative Order	WM/SM	Landa	Settlement pending.
10-17-85	City of Bevington	Administrative Order	WM	Hansen	Hearing continued.
10-23-85	Farmers Coop. Elevator Company	Permit Condition	WM	Hansen	Hearing continued.
1-23-86	Oswein Soil Service	Administrative Order	WM	Landa	Hearing continued pending evaluation of test results.
2-12-86	Woodland Park	Administrative Order	WM	Murphy	Proposed decision 5-29-86.
3-12-86	Charles City	Variance Denial	Air	Landa	Hearing continued pending stipulation of facts.
3-20-86	Stan Larson	Variance Denial	FP	Clark	Proposed decision 6-27-86; appealed.
4-17-86	Karen's Cafe	Administrative Order	WS	Murphy	Hearing continued.
5-07-86	Iowa Power and Light	Administrative Order	Air	Landa	Hearing continued.
5-21-86	Borch and Reister	Administrative Order	SM	Landa	Forwarded to hearing officer.
6-02-86	Flintco Landfill, Inc.	Administrative Order	SM	Kennedy	Hearing continued; settlement closed.
6-10-86	City of Keosauqua	Water Supply Permit	WS	Hansen	Hearing continued.
6-11-86	Reinschmidt, Walter	Water Use Permit	WR	Clark	Hearing held 8-26-86.
6-12-86	ADM - Clinton	Administrative Order	Air	Landa	Hearing continued.
7-30-86	ISP - Columbus Junction	NPDES Permit	WM	Hansen	Hearing set for 9-15-86.
8-10-86	Lugenfeldt/ISP, Inc.	Administrative Order	SM	Kennedy	New case.
8-10-86	Shartop	Administrative Order	SM	Landa	Settlement proposed.

Mr. Stokes reported that he has nothing to highlight on this report, but will answer any questions.

EMERGENCY SPILL RESPONSE REPORT

Allan Stokes, Division Administrator, Environmental Protection Division, presented the following item.

This is an informational item, and agency staff will respond to questions, if any, from the Commission.

REPORTS OF HAZARDOUS CONDITIONS

During the period of August 15, 1986 through September 4, 1986, reports of 41 hazardous conditions were forwarded to the Central Office. Several incidents are highlighted, followed by a general summary and the number per region.

Date Reported and County	Description: Material, Amount Date Of Incident, Cause Location, Impacts	Responsible Party	Response and Correction Action
8/24/86 Harrison	Corrosion caused a pinhole leak in the casing of a pipeline under a railroad track three miles west of Missouri Valley, Iowa on August 24, 1986. About 2100 gallons of diesel fuel leaked from the pipeline into the soil.	Amoco Oil Co. P.O. Box 1888, Freeman, Missouri 64746	The pipeline was shut down and a trench was excavated to recover product and divert drainage away from the tracks. Recovered product was taken to a terminal for recycling, and a monitoring well was installed.
8/24/86 Paweshiek	On August 24, 1986, a truck driver reported a substance leaking from his trailer at mile marker 180 on Interstate 80 near Grinnell, Iowa. A pallet holding 24 5-gallon polyethylene containers had broken and about ten gallons of hydrogen peroxide spilled on the trailer and the ground.	B. J. McAdams Trucking, P.O. Box 15 North Little Rock, Arkansas 72118	The fire department flushed the spilled material out of the trailer, diluted the material on the ground, and righted the overturned containers. A DOT enforcement officer ensured that the material was properly loaded before allowing the truck to continue its trip.

HAZARDOUS SUBSTANCES INCIDENTS FEDERAL FISCAL YEAR 1986

Total # of Incidents	Substance Type			Mode					
	Petroleum Product	Agric. Chemical	Other Chemicals and Substances	Handling and Storage	Pipeline	Highway Incident	RR Incident	Fire	Other
545	252 46%	102 19%	191 35%	345 63%	7 1%	120 22%	21 5%	7 1%	45 8%

Total # of Incidents
Per Region
This period

1	2	3	4	5	6
34	68	67	52	160	104

Numbers in Parentheses Represent Reports For The Same Period In Fiscal Year 1983

Month	Total # of Incidents Reported	Substance Type			Mode					
		Petroleum Product	Agri. Chemical	Other Chemicals and Substances	Handling and Storage	Pipeline	Highway Incident	RR Incident	Fire	Other
Oct	32	12	4	16	20	1	4	4	1	2
Nov	36	21	6	9	23	1	6	2	0	4
Dec	23	14	2	7	14	0	4	1	1	3
Jan	43	26	5	12	29	0	8	2	0	4
Feb	30	17	2	11	17	0	6	2	1	4
Mar	43	21	6	16	30	0	9	1	0	3
Apr	66	36	11	19	48	2	11	1	0	4
May	60	20	25	15	32	1	23	2	2	0
Jun	75	19	28	28	39	1	29	1	0	3
Jul	62	22	11	29	48	0	6	1	1	6
Aug	34	20	1	13	25	0	2	3	0	4
Sep	41(40)	24(13)	1 (8)	16 (19)	20 (32)	1 (8)	12 (6)	1 (1)	1 (0)	6 (1)

Total # of Incidents

Per Region 1 2 3 4 5 6
This Period 6 7 6 6 11 5

Mr. Stokes reported that he has nothing to amplify on this report. He stated that he had been asked, by a few Commissioners, about the Holy Cross situation in Dubuque. He then gave an update on testing being done by the department regarding same. The test results are not in as of this date. Chairman Schlutz asked that the results be sent to the Commissioners as soon as the staff receives them.

UPDATE ON LITTLE SIOUX BASIN ANALYSIS

Allan Stokes, Division Administrator, Environmental Protection Division, presented the following item.

At a previous Commission meeting, the Department was requested to analyze the samples that were collected for Terbufos (Counter) analysis and determine if other pesticides were present. The results will be presented and discussed.

The samples were collected prior to spring planting on April 15, 1986.

Mr. Stokes briefed the Commission on how and when sampling was taken and distributed the following results:

LITTLE SIOUX RIVER PESTICIDES ANALYSES
1985 AND 1986

CONTAMINANT	YEAR	1	2	3	4	5	6	7
ATRAZINE	1985	ND	4.1	ND	2.0	4.4	ND	ND
	1986	5.1	0.25	0.55	0.69	1.4	0.25	0.40
BLADEX	1985	ND	0.69	ND	ND	0.26	ND	ND
	1986	1.4	ND	ND	ND	0.22	ND	ND
SENCOR	1985	ND	1.1	ND	ND	0.44	ND	ND
	1986	1.0	ND	ND	ND	ND	ND	ND
-COUNTER	1985	0.3	12.0	1.2	5.9	11.0	2.1	1.7
	1986	ND	ND	ND	ND	ND	ND	ND
DUAL	1985	ND	ND	ND	5.6	7.3	ND	ND
	1986	0.31	ND	ND	1.2	1.3	ND	ND
LASSO	1985	ND	ND	ND	ND	ND	ND	ND
	1986	0.18	ND	ND	ND	0.1	ND	ND
BOLSTAR	1985	ND	1.3	ND	ND	ND	ND	ND
	1986	NA	NA	NA	NA	NA	NA	NA

NA - NOT ANALYSED ND - NOT DETECTED

NOTE: 1985 SAMPLES WERE COLLECTED AFTER SPRING PLANTING 5-13/85 - 5-15-85.

1986 SAMPLES WERE COLLECTED PRIOR TO SPRING PLANTING ON 4-15-86.

ALL SAMPLE RESULTS ARE REPORTED IN PARTS PER BILLION (MICROGRAMS/LITER).

TOXIC CLEANUP DAYS--UPDATE

Allan Stokes, Division Administrator, Environmental Protection Division, presented the following item.

Toxic Cleanup Days have been scheduled for September 20, 1986, at the Public Works Garage in Dubuque and September 27, 1986, at Hawkeye Downs in Cedar Rapids. The department met with the contractor A/C Industrial Cleaning Company of Chico, California, on August 21, 1986, and received a preliminary report outlining the operation and layout of the collection stations. The only toxic wastes to be accepted are those from households and family farms. Some general waste categories are household products, automotive products, paint products, pesticides, fertilizers, and chemicals. Radioactive wastes, explosive wastes, pressurized gas cylinders, shock sensitive wastes, and wastes containing Dioxins or PCB's will not be accepted.

The division is currently working with the participating local agencies and interest groups in organizing the collection days in their area. The Field Information and Education Bureau has been assisting them with publicity.

On January 15, 1987, a report on the results of the pilot program and the department's recommendation on continuation of the program will be presented to the General Assembly as required.

Linda Appelgate asked if there would be some kind of analysis taken at the site to determine the exact contents being brought in. Mr. Stokes stated there will be a portable laboratory set on-site by the vendor to do initial prescreening. The materials that would appear to be suspect will be isolated and more fully analyzed at a more complete laboratory. Materials will be identified and characterized before shipping to the disposal site in California.

UPDATE ON U.S. NAMEPLATE HAZARDOUS WASTE FACILITY

Allan Stokes, Division Administrator, Environmental Protection Division, presented the following item.

The Commission has requested an update on the status of the U. S. Nameplate facility. The U. S. Environmental Protection Agency has lead responsibility for working with this facility under federal Resource Conservation and Recovery Act and Comprehensive Environmental Response Compensation and Liability Act Legislation.

The Commissioners will be given a briefing on the past history, current issues and potential future actions involving EPA's activities towards the U. S. Nameplate facility.

Mr. Stokes reported that in 1984 the U. S. EPA issued an order to U. S. Nameplate for failure to notify of their being a generator, treater, and disposer of hazardous waste. This was based upon presumption that wastewaters from electroplating operations in making nameplates were being discharged into a wastewater lagoon on the facility's premises. That order was appealed to an administrative hearing judge at the Kansas City, Kansas regional office. EPA conducted testing in 1985 of the lagoon wastewater and sludge. TCE was detected in all testing of the lagoon sludge as well as in three samples of the wastewater. TCE was also detected in one of the monitoring wells around the facility. Ethyl Benzene was also found. EPA again filed against Nameplate for failure to notify as generator, treater, and disposer of waste. Listed in the waste category is F006 which is electroplating wastes. The EPA hearing officer in the Kansas City regional office upheld EPA's decision and action on first appeal by U. S. Nameplate officials. Subsequent to that, the U. S. Nameplate officials appealed to the chief judicial officer at EPA headquarters. That judicial hearing officer overturned EPA's actions and found in favor of U. S. Nameplate based on the premise that U. S. Nameplate had not been notified that its waste was in fact F006, and that the waste was not specifically listed as a hazardous waste under the federal register, in terms of specifically listing it as a waste, and therefore probably did not constitute F006 waste. In the absence of specific listing of the waste in the register, or notice by the part of the EPA or any other authorities, the U. S. Nameplate officials could not reasonably have been expected to know that they were possibly a generator, treater, or disposer and could not therefore provide a notice to EPA. The judicial officer overturned the lower cases and found in favor of U. S. Nameplate.

U. S. Nameplate also filed to have their waste delisted based on the premise that heavy metal contents present in the waste were not of a type that would migrate to the environment and therefore not a threat to the environment, as

well as taking exception in refuting the initial findings of EPA's analytical work that TCE was present in a monitoring well. EPA denied this request for delisting subsequent to the judicial officer finding in favor of U. S. Nameplate. They denied the appeal for delisting due to the fact that there were high TCE concentrations in the sludge when first analyzed by EPA. U. S. Nameplate asked for and received a retesting of the wastewater and sludge in their lagoon. That was conducted on August 12 of this year by a special sampling team of EPA officials. EPA and U. S. Nameplate are waiting the results of that analytical effort to determine what the results were.

EPA, on August 29, requested U. S. Nameplate to supply them with additional information concerning the hydrogeology in the area, and other technical information. EPA will withhold any decision or action concerning U. S. Nameplate's petition for delisting pending response to their August 29 letter and receiving results of the analytical work that was done in August of this year.

Discussion followed regarding the superfund list, delisting, Aidex, and our newspaper clipping service.

PUBLIC PARTICIPATION

Chairman Schlutz announced public participation at 10:30 a.m. No one was present to speak.

NOTICE OF INTENDED ACTION--567 CHAPTER 1

James Combs, Division Administrator, Coordination and Information Division, presented the following item.

ENVIRONMENTAL PROTECTION COMMISSION (567) Notice of Intended Action

Pursuant to the authority of 1986 Iowa Acts, S.F. 2175, sec. 1806; Iowa Code section 17A.3(1)(a); and Iowa Code section 455B.105, the Environmental Protection Commission of the Iowa Department of Natural Resources hereby gives notice of intended action to adopt a new chapter 1 governing the operation of the commission, which will supersede Chapter 900--2, IAC, which governs the operation of the Water, Air and Waste Management Commission. The proposed rules describe the conduct of commission meetings, including time, place, notification, agenda, public participation, quorum and voting requirements, conduct, minutes and recording of such meetings, and the officers and their duties.

Any interested person may make written suggestions or comments on these proposed rules on or before October 28, 1986. Such written materials should be directed to the Chief, Government Liaison Bureau, Iowa Department of Natural Resources, Wallace State Office Building, Des Moines, Iowa 50319-0034. Persons who want to convey their views orally may contact Mike Murphy at 515/281-8973.

These rules are intended to implement Iowa Code sections 17A.3(1)(a) and 455A.6.

Item 1. Rescind chapter 900--2, and adopt a new chapter 567--1, as follows:

CHAPTER 1
OPERATION OF ENVIRONMENTAL PROTECTION COMMISSION

567--1.1(17A; 455A) Scope. This chapter governs the conduct of business by the environmental protection commission. Rulemaking proceedings held as part of commission meetings and contested case proceedings involving the commission are governed by other rules of the department.

567--1.2(17A; 455A) Time of meetings. The commission meets at least quarterly, and usually meets monthly. The director, the chairperson, or a majority of the commission may establish meetings. Normally, the time of the next meeting will be determined in the current commission meeting.

567--1.3(17A; 455A) Place of meetings. Meetings are generally held in the Henry A. Wallace Building, 900 East Grand Avenue, Des Moines, Iowa. The commission may meet at other locations from time to time; if so the meeting place will be specified in the agenda.

567--1.4(17A; 455A) Notification of meetings. The director of the department shall provide public notice of all meeting dates, locations, and tentative agenda.

1.4(1) Form of notice. Notice of meetings is given by posting the tentative agenda and by distribution upon request. The agenda lists the time, date, place, and topics to be discussed at the meeting. The agenda shall include a specific time for the public to address the commission on any issue related to the duties and responsibilities of the commission, except as otherwise provided in these rules.

1.4(2) Posting of agenda. The tentative agenda for each meeting will be posted at the department's offices on the fourth and fifth floors, Henry A. Wallace Building, normally at least seven days prior to the meeting. Agenda will be posted at least twenty-four hours prior to the meeting, unless, for good cause such notice is impossible or impractical, in which case as much notice as is reasonably possible will be given.

1.4(3) Distribution of agenda. Agenda will be mailed to anyone who files a request with the director. The request should state whether the agenda for a particular meeting is desired, or whether the requestor desires to be on the department's mailing list to receive the agenda for all meetings of the environmental protection commission.

1.4(4) Amendment to agenda. Any amendments to the agenda after posting and distribution under (2) and (3) will be posted, but will not be mailed. The amended agenda will be posted at least twenty-four hours prior to the meeting, unless for good cause such notice is impossible or impractical, in which case as much notice as is reasonably possible will be given. The commission may adopt amendments to the agenda at the meeting only if good cause exists requiring expeditious discussion or action on such matters. The reasons and circumstances necessitating such agenda amendments, or those given less than twenty-four hours notice by posting, shall be stated in the minutes of the meeting.

1.4(5) Supporting material. Written materials provided to the commission with the agenda may be examined and copied as provided in the public information rules of the department. Copies of the materials may be distributed at the discretion of the director to persons requesting the

materials. The director may require a fee to cover the reasonable cost to the department to provide the copies, in accordance with rules of the department.

567--1.5(17A; 455A) Attendance and participation by the public.

1.5(1) Attendance. All meetings are open to the public. The commission may exclude the public from portions of the meeting in accordance with Iowa Code section 21.5.

1.5(2) Participation.

a. Items on agenda. Presentations to the commission may be made at the discretion of the chairperson. Persons who wish to address the commission on a matter on the agenda are encouraged to notify the director at least five days before the meeting.

b. Items not on agenda. Because Iowa Code section 21.4 requires the commission to give notice of its agenda, the commission discourages persons from raising matters not on the agenda. Persons who wish to address the commission on a matter not on the agenda should file a request with the director to place that matter on the agenda of the subsequent meeting.

c. Meeting decorum. The chairperson may limit participation as necessary for the orderly conduct of agency business.

1.5(3) Use of cameras and recording devices. Cameras and recording devices may be used during meetings provided they do not interfere with the orderly conduct of the meeting. The chairperson may order the use of these devices be discontinued if they cause interference, and may exclude those persons who fail to comply with that order.

567--1.6(17A; 455A) Quorum and voting requirements.

1.6(1) Quorum. A majority of the members of the commission constitutes a quorum.

1.6(2) Voting. The concurrence of a majority of the commission members is required to determine any matter before the commission for action, except for a vote to close a meeting which requires the concurrence of two-thirds of the members of the commission, or the concurrence of all members present if less than two-thirds are present.

567--1.7(17A; 455A) Conduct of meeting.

1.7(1) General. Meetings will be conducted in accordance with Robert's Rules of Order unless otherwise provided in these rules. Voting shall be by voice or by roll call. Voting shall be by voice unless a voice vote is inconclusive, a member of the commission requests a roll call, or the vote is on a motion to close a portion of a meeting. The chairperson shall announce the result of the vote.

1.7(2) Voice votes. All commission members present should respond when a voice vote is taken. The response shall be aye, nay, or abstain.

a. All members present shall be recorded as voting aye on any motion when there are no nay votes or abstentions heard.

b. Any member who abstains shall state at the time of the vote the reason for abstaining. The abstention and the reason for it shall be recorded in the minutes.

1.7(3) Provision of information. The chairperson may recognize any agency staff member for the provision of information relative to an agenda item.

567--1.8(17A; 455A) Minutes, transcripts, and recordings of meetings.

1.8(1) Recordings. The director shall record by mechanized means each

meeting, and shall retain the recording for at least one year. Recordings of closed sessions shall be sealed and retained at least one year.

1.8(2) Transcripts. The department does not routinely prepare transcripts of meetings. The department will have transcripts of meetings, except for closed sessions, prepared upon receipt of a request for a transcript and payment of a fee to cover the cost to the department of preparing the transcript.

1.8(3) Minutes. The director shall keep minutes of each meeting. Minutes shall be reviewed and approved by the commission, and retained permanently by the director. The approved minutes shall be signed by the director and the chairperson and secretary of the commission.

567--1.9(17A; 455A) Officers and duties.

1.9(1) Officers. The officers of the commission are the chairperson, the vice chairperson, and the secretary.

1.9(2) Duties. The chairperson shall preside at meetings, and shall exercise the powers conferred upon the chairperson. The vice chairperson shall perform the duties of the chairperson when the chairperson is absent or when directed by the chairperson. The secretary shall supervise the preparation of minutes, make recommendations to the commission on approval or revision of the minutes, and act as parliamentarian.

567--1.10(17A; 455A) Election and succession of officers.

1.10(1) Elections. Officers shall be elected annually during May.

1.10(2) Succession.

a. If the chairperson does not serve out the elected term, the vice chairperson shall succeed the chairperson for the remainder of the term. A special election shall be held to elect a new vice chairperson to serve the remainder of the term.

b. If the vice chairperson does not serve out the elected term, a special election shall be held to elect a new vice chairperson to serve the remainder of the term.

c. If the secretary does not serve out the elected term, a special election shall be held to elect a new secretary to serve the remainder of the term.

These rules are intended to implement Iowa Code sections 17A.3(1)"a" and 455A.6.

September 15, 1986

Larry J. Wilson, Director

The Department requests approval to file the proposed rules as a Notice of Intended Action to start the rulemaking process. These proposed rules deal with the operation procedures of the Commission. The tentative schedule for these rules is as follows:

September 19 - File Notice
October 28 - Comment Period Expires
November 17 - Adopt Final Rules

The Department recommends that we not establish a public hearing on this proposal. If we do, we would not be able to get final rules back to you until December, which is past the recommended deadline the Code Editor has given the Department to transfer its rules to the new agency. Written comments should be sufficient.

These proposed rules include changes from your current rules in the following areas:

1. You may meet as infrequently as once per quarter, as is now allowed in the new law. We anticipate that you will continue to meet more frequently, but these rules would give you more flexibility.
2. The voting requirements are changed to allow a majority of a quorum to pass a measure. The new law allows this. It also allows you to adopt more stringent rules. We recommend that you adopt the proposed language, to avoid the situation of a Commissioner's absence being an automatic "no" vote. We can highlight this issue in the Notice of Intended Action if you desire, to solicit public comment.
3. Robert's Rules of Order are adopted. The Commission has never officially adopted these as guidance, but seems to have exhibited a preference to follow them.
4. The law now requires that Commissioners elect a secretary. The law doesn't suggest what this person is supposed to do. Subrule 1.9(2) contains our suggestions.

Mr. Combs stated that these rules are very similar to what the Commission had in the past and pointed out the four changes listed.

Keith Uhl commented that, even though these rules would give them the flexibility not to meet every month, the Commission should be compelled to do so. He reasoned that otherwise they would end up meeting only as required with four meetings a year, and with less opportunity to discuss some of the important issues monthly.

Mr. Combs stated that they might insert the wording "the intent of the Commission is to meet monthly" but they would probably want to leave enough flexibility to allow for a month when they might not be able to meet.

Discussion followed and Chairman Schlutz directed staff to insert the wording "with intent to meet monthly."

Keith Uhl stated that he disagrees with allowing a majority of a quorum to pass a measure. He feels it is inappropriate to have less than a majority of the Commission on matters of public policy.

Linda Appelgate disagreed, commenting that the people who are in attendance have the responsibility to make the decisions, and when a member is absent the Commissioners should consider that as a "no" vote as they are responsible for getting things going.

Clark Yeager stated that he agrees with Mr. Uhl that matters of this importance need full representation.

Discussion regarding voting followed.

Motion was made by Linda Appelgate to approve Notice of Intended Action--567-Chapter 1, Rules on Commission Operation as revised by the Commission today.

Motion died for lack of second.

Motion was made by Keith Uhl to approve Notice of Intended Action--567-Chapter 1, Rules on Commission Operation, with the provision that the intent to meet more than quarterly and that it take a majority of the Commission to pass a measure be added. Seconded by Donna Hammitt.

Chairman Schlutz called for a roll call vote. "Yes" votes were cast by Commissioners Timmerman, Yeager, Hammitt, Uhl, Mohr, Siebenmann and Schlutz. "No" vote was cast by Commissioner Appelgate. Motion carried 7 to 1.

GROUND WATER STRATEGY UPDATE

James Combs, Division Administrator, Coordination and Information Division, presented the following item.

The active solicitation of opinions to direct plan development is the major current activity. Ground Water Protection Strategy Discussion Drafts and evaluation forms have been sent to the Technical Advisory Committee members for their discussion on September 11 and 24. Members of the Iowa Consortium on Agriculture and Ground Water Quality have also received drafts for their discussion on selected issues on September 23. Draft materials have also been sent to the Program Advisory Committee for discussion during the week beginning September 29. Specific consideration of the Ground Water Protection Strategy has been made with these other groups: Iowa Environmental Coalition, Older Iowans Legislature, Iowa Ground Water Association, Farm Bureau, and the Legislative Water Quality Interim Study Committee.

Mr. Combs reported that last Monday several staff and some of the Commissioners met with the Legislative Interim Committee on Water Quality and some questions were made as to what is to be filed at the General Assembly in January. He wanted to clarify that what the law requires is that the department file a report on the ground water protection strategy, it does not require legislation as did the law that required the plan of water allocation priorities.

Nancy Lee Siebenmann reported that Bernie Hoyer will share the summary ranking, the Commissioners submitted, at the other meeting later today. She reported that there are some areas of overlap and possible assistance that are becoming a little clearer in terms of what our strategy might be. Briefly, the U. S. Department of Interior Geological Survey is already doing considerable monitoring of wells for pesticides. It is her feeling that if we can work with them, they would like state justification to bring money into this, so there are some auxiliary areas that might feed into this which would be very helpful.

Discussion followed regarding the forms the Commissioners filled out.

Keith Uhl asked about the status of the contract on the ground water strategy survey which the Commission approved last month. Mr. Combs responded that the contract was signed last week. The final cost is \$6,995, the contractor is Lord, Sullivan and Yoder which is an advertising firm in West Des Moines.

Discussion followed on the meeting with the Water Quality Interim Study Committee regarding ground water strategy.

HAZARDOUS WASTE MANAGEMENT PLAN UPDATE

James Combs, Division Administrator, Coordination and Information Division, presented the following item.

Department staff are finalizing their review of the draft Hazardous Waste Management Plan.

The draft plan will be presented to the Commission in October 1986. After initial review by the Commission, the plan will be provided to the same technical advisory group that reviewed the siting rules for their input. We also plan to obtain general public input to the plan through a series of public meetings to be held in November.

A revised plan based on the comments received through the review process will be presented to the Commission for approval in December.

The plan is to be submitted to the Governor and General Assembly by January 1, 1987.

Keith Uhl commented that this Commission has never endorsed a funding for the site, adding that when the recommendation went to the Governor's office, it went over with the proviso that the state might find it beneficial to look for private funding for that site. He asked if they are putting an equal amount of concentration in the plan on what the department should or shouldn't do if the site would be privately financed.

Mr. Combs stated that they are looking at the option of private financing and maybe even a combination of private and state financing.

Mr. Uhl asked if the department is correlating with the Iowa Development Commission to those ends. Mr. Combs responded that they are one of the groups that will be reviewing the plan.

REFERRALS TO THE ATTORNEY GENERAL

James Combs, Division Administrator, Coordination and Information Division, presented the following item.

The Department requests approval to refer the following to the Attorney General for appropriate legal action. Litigation reports have been sent to the Commissioners and are to be maintained as confidential, pursuant to Iowa Code Section 22.7(4).

Boyer Valley Company - Denison
Prohibited wastewater discharges
City of Washington
Wastewater plan of action
City of University Park
Wastewater plan of action (tabled item)
Orchard Mobile Home Court - Cedar Rapids
Riviera, Ltd. - Janesville
Ced Rel Supper Club and Motel - Cedar Rapids
Kit Kat Club, Inc. - Evansdale
4-Way Tap - Luxemburg
Collection of administration penalties

Boyer Valley Company - Denison -- Mr. Combs stated that the attorney general's office and this department have been talking with Boyer Valley working toward negotiating a consent decree. They are taking the matter seriously; however, we would like approval to refer it in case that negotiation process fails.

Richard Timmerman stated he does not like using referrals as a hammer in a negotiating process and would have a problem with that. Discussion followed. It was decided to proceed with some other cases until Mike Murphy would be available for questions.

City of Washington -- Mr. Combs reported that the City of Washington is under administrative order to submit an acceptable plan of action pursuant to the municipal improvement program. He stated that at the time the agenda was put together we had not received that plan; however, we have recently received a schedule and it appears to be agreeable to the department. It is under consideration and review by the department and we are asking the Commission to table this until the department has time to complete its review of the plan of action.

Motion was made by Nancy Lee Siebenmann to table referral for the City of Washington until the department completes review of their plan of action. Seconded by Charlotte Mohr. Motion carried unanimously.

City of University Park -- Mr. Combs reported that a few months ago staff asked the Commission to table action on this pending review of the plan of action by the department. The plan of action has been reviewed and is approvable, we request that it be removed from the table and dropped.

Motion was made by Clark Yeager to remove the referral for City of University Park from the table and drop the matter. Seconded by Donna Hammitt. Motion carried unanimously.

Boyer Valley Company - Denison -- Mike Murphy explained that, as shown in the litigation, this case has been delayed quite awhile due to various factors. In the meantime, the company, the attorney general, and the department have gotten together. The attorney general and the department would still like the Commission's approval for this referral. Mr. Murphy stated that the attorney for Boyer Valley has written us and they are aware it is on the agenda. They wanted to make sure the Commission knew they are taking the matter seriously and want to work things out with a consent decree, and that their absence

today should not reflect against them. Mr. Murphy informed Boyer Valley that the department would still ask the Commission to approve the referral.

A lengthy discussion followed regarding the law, policy, and procedures for handling referrals to the attorney general's office and their settling with individuals involved.

Motion was made by Richard Timmerman to table the remaining referrals pending discussion between a committee to be appointed by the chair and the leadership of the department. Seconded by Keith Uhl. Motion carried unanimously.

It was decided that Commissioners Schlutz, Timmerman, Appelgate and Uhl would meet with Mr. Wilson and necessary staff Friday morning to study the referrals procedure.

1987 ENVIRONMENTAL PROTECTION DIVISION LEGISLATION

Robert Fagerland, Deputy Director, presented the following item.

It is proposed to introduce the following bill as originated by the Department of Natural Resources at the beginning of the 72nd General Assembly.

1. Close the (loophole) that now allows public and private agencies to dump or deposit solid waste generated by such agency on land leased or owned by them in an unregulated manner.

2. Provide that any party who impedes or delays activities related to cleanup or mitigation of (hazardous conditions) or uncontrolled hazardous waste disposal sites may be held liable for costs relative to that cleanup or mitigation work.

3. Extend effective dates of suspension of certain portions of state authority for the permitting and enforcement of permit conditioning for hazardous waste treatment, storage, and disposal facilities.

4. Provide that when the department issues a certificate of acceptance of local programs for air pollution control, that the department retains full and concurrent jurisdiction with the ability to override or supercede local program actions without the need to withdraw the acceptance of the local program.

5. Provide that (sewage work construction) funds under Chapter 455B.242 may be made available either in the form of grants or no interest-low interest loans.

6. Supplemental appropriation of \$45,000 for fiscal year 1987 and a regular appropriation of \$60,000 for fiscal year 1988 for payment of Iowa's share to the Midwest Interstate Low Level Radioactive Waste Compact.

Mr. Fagerland explained each item in detail. Discussion followed on each item.

Linda Appelgate stated that what is being asked of the Commissioners today is their approval or disapproval in concept of these six items. That would be followed by taking it over to the Legislative Service Bureau and receiving back the actual language by the October meeting. After getting the actual language to work with, we would then revise from that point, meet with the special interest groups, then have something ready by November.

It was suggested that item number five be dropped from the legislative package.

Motion was made by Clark Yeager to approve Items 1, 2, 3, 4 and 6 of the 1987 EPC proposed legislation. Seconded by Charlotte Mohr.

Linda Appelgate suggested that the proposed legislation include language clean-up.

Motion carried unanimously.

NEXT MEETING DATES

Chairman Schlutz requested the date of the next meeting be changed to October 27-28, 1986. There were no objections.

October 27-28, 1986
November 17-18, 1986
December 15-16, 1986

It was suggested that an item titled "Address Items For Next Meeting" be added to the agenda.

Linda Appelgate commented that she would like to hear about the Natural Resources Commission and the Energy and Geological Resources Division's legislative packages at the next meeting.


Keith Uhl stated that next month he would like to hear a presentation by someone on how they feel the new law on reorganization is affecting the role or relationship of this Department at this Commission.

There was discussion on getting together with the Natural Resources Commission. It was decided that this Commission will invite Natural Resources Commission to the November 17-18 meeting.

ADJOURNMENT

With no further business to come before the Environmental Protection Commission, Chairman Schlutz adjourned the meeting at 12:35 p.m., Monday, September 15, 1986.


Harry J. Wilson, Director


Charlotte Mohr, Secretary

(EPC:9-86)

ADM-1-1-1

Sept.

MEETING AGENDA
ENVIRONMENTAL PROTECTION COMMISSION
WALLACE STATE OFFICE BUILDING
DES MOINES, IOWA

September 15, 1986

Meeting Convenes at 9:00 a.m.

Break 10:00 a.m.

Public Participation 10:30 a.m.

1. Adoption of Agenda.
2. Adoption of Minutes
3. Director's Report. (Fagerland) Informational.
4. Federal FY 1987 Grant Applications. (Kuhn) Decision.
5. Annual Computer Usage Agreements with U.S. EPA (Kuhn) Decision.
6. Rulemaking Status Report. (Stokes) Informational.
7. Variance Report. (Stokes) Informational.
8. Enforcement Status Report. (Stokes) Informational.
9. Contested Case Report. (Stokes) Informational.
10. Emergency Spill Response Report. (Stokes) Informational.
11. Break - approximately 10:00 a.m.
12. Update on Little Sioux Basin Analysis. (Stokes) Informational.
13. Toxic Clean-Up Days Update (Stokes) Informational.
14. Public Participation - 10:30 a.m.
15. Notice of Intended Action--567-Chapter 1, Rules on Commission Operation. (Combs) Decision.
16. Groundwater Strategy Update. (Combs). Informational.

Agenda - 2

17. Hazardous Waste Management Plan Update. (Combs) Informational.
18. Referrals to Attorney General's Office. (Combs) Decision.
19. Legislative Proposals for 1987. (Fagerland) Decision.
20. Update on U.S. Nameplate. (Stokes) Informational.

NEXT MEETING DATES

October ²⁷⁻²⁸ 20-21, 1986
November 17-18, 1986
December 15-16, 1986

MEETING AGENDA
ENVIRONMENTAL PROTECTION COMMISSION
WALLACE STATE OFFICE BUILDING
DES MOINES, IOWA

September 15, 1986

Meeting Convenes at 9:00 a.m.

Break 10:00 a.m.

Public Participation 10:30 a.m.

- delete* 6.
1. Adoption of Agenda.
 2. Adoption of Minutes.
 3. Director's Report. (Fagerland) Informational.
 4. Federal FY 1987 Grant Applications. (Kuhn) Decision.
 5. Annual Computer Usage Agreements with U.S. EPA (Kuhn) Decision.
 6. Environmental Monitoring and Laboratory Services Contract with U.H.L. (Kuhn) Decision.
 7. Rulemaking Status Report. (Stokes) Informational.
 8. Variance Report. (Stokes) Informational.
 9. Enforcement Status Report. (Stokes) Informational.
 10. Contested Case Report. (Stokes) Informational.
 11. Emergency Spill Response Report. (Stokes) Informational.
 12. Break - approximately 10:00 a.m.
 13. Update on Little Sioux Basin Analysis. (Stokes) Informational.
 14. Toxic Clean-Up Days Update (Stokes) Informational.
 15. Public Participation - 10:30 a.m.
 16. Notice of Intended Action--567-Chapter 1, Rules on Commission Operation. (Combs) Decision.
 17. Groundwater Strategy Update. (Combs). Informational.

Agenda - 2

18. Hazardous Waste Management Plan Update. (Combs) Informational.
19. Referrals to Attorney General's Office. (Combs) Decision.
20. Legislative Proposals for 1987. (Fagerland) Decision.

NEXT MEETING DATES

October 20-21, 1986
November 17-18, 1986
December 15-16, 1986

PRELIMINARY ONLY

Note:
Comments back by 9 AM FRIDAY 9.5.86

ENVIRONMENTAL PROTECTION COMMISSION

NAME

COMPANY OR AGENCY

CITY

(Please print)

ROBERT WATTEN

Amawa Refrigeration Inc.

Amawa

Bill Molison

City of Des Moines

DSM

Marjorie Dennison

Cedar Rapids Gazette

DSM

Tim Rollinger

Iowa Public Service Co

Sioux City

Jack Hardie

" " " "

" "

Bill Haigh

Senate Dem. Caucus Staff

DSM

Dave Mayas

Dept. of Management

DSM

MINUTES
ENVIRONMENTAL PROTECTION COMMISSION
Wallace State Office Building
Des Moines, Iowa
August 18, 1986

The meeting of the Environmental Protection Commission was held in the Wallace State Office Building in Des Moines, Iowa, on August 18, 1986, convening at 8:30 a.m.

MEMBERS PRESENT

Robert Schlutz, Chairman; Richard Timmerman, Vice-Chairman; Linda Appelgate; Clark Yeager; Keith Uhl; Wayne Gieselman; Charlotte Mohr; Gary Priebe; Nancy Lee Siebenmann; Catherine Dunn.

MEMBERS ABSENT

Donna Hammitt.

PUBLIC ATTENDING

Robert Wazznes and Harlan Lortz, Amana Refrigeration, Amana; Tom Donahey, Fred Hammans, and Skip Kenya, Union County, Creston; Bill Molison, City of Des Moines, Des Moines; Gordon Burns, Vorhees Design Group (Union County), Des Moines; Bill Haigh, Senate Democratic Caucus Staff, Des Moines; Deborah Neustadt, Sierra Club, Des Moines; Dave Long, League of Municipalities, Des Moines; Tim Rollinger, Iowa Public Service Co., Sioux City.

ADOPTION OF AGENDA

Mr. Wilson stated there will be an item added, No. 7A, titled Contract for Groundwater Protection Survey. Also, under item No. 9, Referrals to the Attorney General, delete Boyer Valley as we failed to send a notice to them notifying of the referral.

Motion was made by Charlotte Mohr to adopt the agenda as amended. Seconded by Catherine Dunn. Motion carried unanimously.

ADOPTION OF MINUTES

Motion was made by Catherine Dunn to approve the minutes of July 29 as presented.

Linda Appelgate stated her name was misspelled throughout the minutes. Chairman Schlutz commented corrections will be made.

Motion was seconded by Charlotte Mohr. Motion carried unanimously.

RULEMAKING, ENFORCEMENT, CONTESTED CASE, VARIANCE, AND EMERGENCY RESPONSE REPORTS

Allan Stokes, Division Administrator, Environmental Protection Division, presented the following item.

The monthly rulemaking, enforcement, contested case, variance, and emergency response reports will be distributed as information items at the Commission meeting. Agency staff will respond to questions, if any, from the Commission on these reports.

Mr. Stokes gave an explanation on each of the reports and stated he has only one bit of amplification, on the rulemaking status report the delay which was listed on Chapter 64 has been lifted by the administrative rules review committee so those rules will now become effective.

FY 1987 CONSTRUCTION GRANT PRIORITY LIST APPROVAL

Allan Stokes, Division Administrator, Environmental Protection Division, presented the following item.

The Commission is requested to adopt the proposed Fiscal Year 1987 State Project Priority List which has been prepared for projects to be funded with the available federal construction grant funds. The proposed list was presented to you at the May Commission meeting and following an extensive mailing of the Notice of Intended Action, a June 30 public hearing was held to receive public comment. There were no comments at that meeting or during the following 10-day written comment period. The list includes the unfunded fiscal year 1986 projects which were anticipated to be funded with the full fiscal year 1986 allotment. Region VII EPA staff have also reviewed the proposed list and gave us their conditional approval based on the assumption that any needed changes will be made which result from reauthorization of the Clean Water Act or requirements of any future appropriations.

Mr. Uhl stated he supports approval but thinks we should continue to recognize the situation regarding Ames. He asked if the funds allocated for Ames last year had not been expended. Mr. Stokes replied that the funds allocated for this year have not been expended. In view of the fact that the state has not yet received its full allotment from the \$33 million from Congress, we do not have that amount to give them anyway; therefore, at this point they have not yet expended their 1986 dollars. Discussion followed regarding various lawsuits on this project.

Motion was made by Catherine Dunn to approve the FY 1987 Construction Grant Priority List as presented. Seconded by Nancy Lee Siebenmann. Motion carried unanimously.

CHAPTER 62 REVISIONS--EFFLUENT PRETREATMENT STANDARDS: OTHER EFFLUENT LIMITATIONS OR PROHIBITIONS

Allan Stokes, Division Administrator, Environmental Protection Division, presented the following item.

Attached are copies of a draft of the proposed revisions to Chapter 62 -- Effluent Pretreatment Standards: Other Effluent Limitations or Prohibitions.

The revisions consist of updating references to pretreatment standards and adding references to additional pretreatment standards which have become available but were not formerly included in the federal regulations.

The update of Chapter 62 is being done at the request of the Legal Services Division to aid in the handling of enforcement actions.

Public participation is not required to update these standards to conform with promulgated federal standards in view of rule 62.2(455B). Following commission adoption, the adopted changes to this standard would be effective thirty-five days after filing, indexing and publication in the Iowa Administrative Code.

WATER, AIR AND WASTE MANAGEMENT (900)
WATER, AIR AND WASTE MANAGEMENT COMMISSION
Emergency Adopted Rule

Pursuant to Iowa Code sections 455B.105 and 455B.173, the Environmental Protection Commission, formerly the Water, Air and Waste Management Commission, amends Chapter 900--62, Effluent and Pretreatment Standards: Other Effluent Limitations or Prohibitions. The purpose of the emergency filing is to update references in rules 62.4(455B) and 62.5(455B) to federal effluent and pretreatment standards found in 40 Code of Federal Regulations (CFR) which need to be changed due to federal amendments and revisions to 40 CFR.

In accordance with Iowa Code section 17A.4(2), the commission finds that public notice and participation is unnecessary. Under rule 62.2(455B) the commission has determined previously that good cause exists for exempting from the notice and public participation requirements of Iowa Code section 17A.4(1) the adoption by reference of certain federal effluent and pretreatment standards. The commission found that public participation is unnecessary since the commission must adopt effluent and pretreatment standards at least as stringent as the enumerated promulgated federal standards in order to have the Department's NPDES program approved by the federal administrator and yet must not adopt a standard that is more stringent than the enumerated promulgated federal standard due to Iowa Code section 455B.173(3).

The commission adopted these rule amendments on August 18, 1986. The amendments will become effective on October 15, 1986.

These rule amendments implement Iowa Code chapter 455B, division III, part I.

These rule amendments are being made to the existing rules of the Department of Water, Air and Waste Management, which in due course will be transferred to the Department of Natural Resources part of the Iowa Administrative Code in accordance with the transition plan of the Code Editor.

Item 1. Amend rule 62.4(455B) to read as follows:

900--62.4(455B) Federal effluent and pretreatment standards. The federal standards, 40 Code of Federal Regulations (CFR), revised as of July 1, 1985, are applicable to the following categories:

62.4(1) General provisions. The following is adopted by reference: 40 CFR part 401 as promulgated February 4, 1974 (39 FR 4532), amended as shown in 40 Code of Federal Regulations, Revised as of July 1, 1978 and amended on July 30, 1979 (44 CFR 44502) and September 10, 1979 (44 CFR 52685).

62.4(2) Cooling water intake structures. Reserved.

62.4(3) General pretreatment regulations for existing and new sources of pollution. The following is adopted by reference: 40 CFR 403 as promulgated June 26, 1978 (43 FR 27746) and amended on June 7, 1979 (44 FR 32956) as amended on September 25, 1985 (50 FR 38811), April 30, 1986 (51 FR 16030), June 4, 1986 (51 FR 20426), and June 9, 1986 (51 FR 20828).

62.4(4) Thermal discharges. The following is adopted by reference: 40 CFR part 125, Subpart H as promulgated June 7, 1979 (44 FR 32899).

62.4(5) Dairy products processing industry point source category. The following is adopted by reference: 40 CFR part 405 as promulgated May 28, 1974 (39 FR 18597), amended as shown in 40 Code of Federal Regulations, Revised as of July 1, 1978 and amended on August 29, 1979 (44 FR 50738).

62.4(6) Grain mills point source category. The following is adopted by reference: 40 CFR part 406 as promulgated March 20, 1974 (39 FR 10513), amended as shown in 40 Code of Federal Regulations, Revised as of July 1, 1978 and amended on August 29, 1979 (44 FR 50739).

62.4(7) Canned and preserved fruits and vegetables processing point source category. The following is adopted by reference: 40 CFR part 407 as promulgated March 21, 1974 (39 FR 10864), amended as shown in 40 Code of Federal Regulations, Revised as of July 1, 1978 and amended on April 16, 1979 (44 FR 22464), June 20, 1979 (44 FR 36034) and August 29, 1979 (44 FR 50739).

62.4(8) Canned and preserved seafood processing point source category. The following is adopted by reference: 40 CFR part 408 as promulgated June 26, 1974 (39 FR 23140), amended as shown in 40 Code of Federal Regulations, Revised as of July 1, 1978 and amended on August 6, 1979 (44 FR 45946) and August 29, 1979 (44 FR 50740).

62.4(9) Sugar processing point source category. The following is adopted by reference: 40 CFR part 409 as promulgated January 31, 1974 (39 FR 4037), amended as shown in 40 Code of Federal Regulations, Revised as of July 1, 1978 and amended on September 25, 1978 (43 FR 43304), August 29, 1979 (44 FR 50740) and November 6, 1979 (44 FR 64080).

62.4(10) Textile industry point source category. The following is adopted by reference: 40 CFR part 410 as promulgated July 5, 1974 (39 FR 24739) and amended on August 21, 1974 (39 FR 30135) and May 26, 1977 (42 FR 26979).

62.4(11) Cement manufacturing point source category. The following is adopted by reference: 40 CFR part 411 as promulgated February 20, 1974 (39 FR 6591), amended as shown in 40 Code of Regulations, Revised as of July 1, 1978 and amended on August 29, 1979 (44 FR 50741).

62.4(12) Reserved. Feedlots point source category. The following is adopted by reference: 40 CFR part 412.

62.4(13) Electroplating point source category. The following is adopted by reference: 40 CFR part 413 as promulgated March 28, 1974 (39 FR 11510), amended as shown in 40 Code of Regulations, Revised as of July 1, 1978 and amended on May 14, 1979 (44 FR 27993), September 7, 1979 (44 FR 52618) and October 1, 1979 (44 FR 56330).

62.4(14) Organic chemicals manufacturing point source category. The following is adopted by reference: 40 CFR part 414 as promulgated April 25, 1974 (39 FR 14676) and amended on June 12, 1974 (39 FR 20597), December 17, 1974 (40 FR 6441), January 5, 1976 (41 FR 901), April 1, 1976 (41 FR 13936) and May 12, 1976 (41 FR 19311).

62.4(15) Inorganic chemicals manufacturing point source category. The following is adopted by reference: 40 CFR part 415 as promulgated March 12, 1974 (39 FR 9616) and amended on June 10, 1974 (39 FR 20376), February 6, 1975 (40 FR 5523), May 22, 1975 (40 FR 22411), November 23, 1976 (41 FR 54599), February 23, 1977 (42 FR 10681), April 1, 1977 (42 FR 17444) and July 20, 1977 (42 FR 37294).

62.4(16) Plastics and synthetics point source category. The following is adopted by reference: 40 CFR part 416 as promulgated April 5, 1974 (39 FR 12505) and amended on July 8, 1974 (39 FR 24893), January 23, 1975 (40 FR 3721), May 19, 1975 (40 FR 24732), May 30, 1975 (40 FR 23472), August 4, 1976 (41 FR 32587), November 4, 1976 (41 FR 48516), June 10, 1977 (42 FR 29871) and August 11, 1977 (42 FR 40697).

62.4(17) Soap and detergent manufacturing point source category. The following is adopted by reference: 40 CFR part 417 as promulgated April 12, 1974 (39 FR 13372) and amended on May 17, 1974 (39 FR 17549), May 21, 1974 (39 FR 17841), February 11, 1975 (40 FR 6441) and June 30, 1975 (40 FR 27454).

62.4(18) Fertilizer manufacturing point source category. The following is adopted by reference: 40 CFR part 418 as promulgated on April 8, 1974 (39 FR 12836), amended as shown in 40 Code of Regulations, Revised as of July 1, 1978 and amended on February 13, 1979 (44 FR 9388), August 29, 1979 (44 FR 50742) and November 6, 1979 (44 FR 64080).

62.4(19) Petroleum refining point source category. The following is adopted by reference: 40 CFR part 419 as promulgated May 9, 1974 (39 FR 16563) and amended on September 10, 1974 (39 FR 32614), May 20, 1975 (40 FR 24949), and March 23, 1977 (42 FR 15689), as amended on July 12, 1985 (50 FR 28522) and corrected on August 12, 1985 (50 FR 32414).

62.4(20) Iron and steel manufacturing point source category. The following is adopted by reference: 40 CFR part 420 as promulgated June 28, 1974 (39 FR 24119) and amended on March 29, 1976 (41 FR 13004) and August 2, 1976 (41 FR 32218).

62.4(21) Nonferrous metals manufacturing point source category. The following is adopted by reference: 40 CFR part 421 as promulgated April 8, 1974 (39 FR 12825) and amended on February 27, 1975 (40 FR 8523), October 15, 1975 (40 FR 48348) and December 15, 1976 (41 FR 54851), as amended on September 20, 1985 (50 FR 38342) and corrected on October 9, 1985 (50 FR 41144) and December 26, 1985 (50 FR 52775).

62.4(22) Phosphate manufacturing point source category. The following is adopted by reference: 40 CFR part 422 as promulgated February 20, 1974 (39 FR 6582), amended as shown in 40 Code of Regulations, Revised as of July 1, 1978 and amended on October 5, 1978 (43 FR 46020) and August 29, 1979 (44 FR 50742).

62.4(23) Steam electric power generating point source category. The following is adopted by reference: 40 CFR part 423 as promulgated October 8, 1974 (39 FR 36198) and amended on February 19, 1975 (40 FR 7095), June 4, 1975 (40 FR 23987), and March 23, 1977 (42 FR 15695), September 22, 1978 (43 FR 43023) and September 29, 1978 (43 FR 44846).

62.4(24) Ferroalloy manufacturing point source category. The following is adopted by reference: 40 CFR part 424 as promulgated February 22, 1974 (39 FR 6809), amended as shown in 40 Code of Regulations, Revised as of July 1, 1978 and amended on August 29, 1979 (44 FR 50742) and November 6, 1979 (44 FR 64082).

62.4(25) Leather tanning and finishing industry point source category. The following is adopted by reference: 40 CFR part 425 as promulgated April 9, 1974 (39 FR 12960) and amended on March 23, 1977 (42 FR 15703).

62.4(26) Glass manufacturing point source category. The following is adopted by reference: 40 CFR part 426 as promulgated January 22, 1974 (39 FR 2565), amended as shown in 40 Code of Regulations, Revised as of July 1, 1978 and amended on August 29, 1979 (44 FR 50746).

62.4(27) Asbestos manufacturing point source category. The following is adopted by reference: 40 CFR part 427 as promulgated February 26, 1974 (39 FR 7527), amended as shown in 40 Code of Regulations, Revised as of July 1, 1978 and amended on August 29, 1979 (44 FR 50747).

62.4(28) Rubber manufacturing point source category. The following is adopted by reference: 40 CFR part 428 as promulgated February 21, 1974 (39 FR 6662) and amended on July 19, 1974 (39 FR 26423), January 10, 1975 (40 FR 2336), April 25, 1975 (40 FR 18173) and February 14, 1978 (43 FR 6229).

62.4(29) Timber products processing point source category. The following is adopted by reference: 40 CFR part 429 as promulgated April 18, 1974 (39 FR 13945) and amended on January 16, 1975 (40 FR 2807), June 2, 1975 (40 FR 23826), December 9, 1976 (41 FR 53934) and September 28, 1977 (42 FR 49812).

62.4(30) Pulp, paper and paperboard point source category. The following is adopted by reference: 40 CFR part 430 as promulgated May 29, 1974 (39 FR 18747) and amended on February 11, 1975 (40 FR 6445), February 19, 1976 (41 FR 7673), July 6, 1976 (41 FR 27733) and January 6, 1977 (42 FR 1398).

62.4(31) Builders paper and roofing felt segment of the builders paper and board mills point source category. The following is adopted by reference: 40 CFR part 431 as promulgated May 9, 1974 (39 FR 16580) and amended on February 11, 1975 (40 FR 6446).

62.4(32) Meat products point source category. The following is adopted by reference: 40 CFR part 432 as promulgated February 28, 1974 (39 FR 7897), amended as shown in 40 Code of Regulations, Revised as of July 1, 1978 and amended on August 29, 1979 (44 FR 50747).

62.4(33) Reserved. Metal finishing point source category. The following is adopted by reference: 40 CFR part 433.

62.4(34) Coal mining point source category. The following is adopted by reference: 40 CFR part 434 as revised on October 9, 1985 (50 FR 41305) as promulgated May 13, 1976 (41 FR 19833), amended as shown in 40 Code of Regulations, Revised as of July 1, 1978 and amended on January 12, 1979 (44 FR 2589), April 2, 1979 (44 FR 19194), April 18, 1979 (44 FR 23084), July 6, 1979 (44 FR 39391) and November 6, 1979 (44 FR 64082).

62.4(35) Oil and gas extraction industry point source category. The following is adopted by reference: 40 CFR part 435 as promulgated September 15, 1975 (40 FR 42549), amended as shown in 40 Code of Regulations, Revised as of July 1, 1978 and amended April 13, 1979 (44 FR 22075).

62.4(36) Mineral mining and processing point source category. The following is adopted by reference: 40 CFR part 436 as promulgated October 16, 1975 (40 FR 48657) and amended on June 10, 1976 (41 FR 23558), July 12, 1977 (42 FR 35849) and March 10, 1978 (43 FR 9808).

62.4(37) Water supply point source category. Reserved.

62.4(38) Reserved.

62.4(39) Pharmaceutical manufacturing point source category. The following is adopted by reference: 40 CFR part 439 as promulgated November 17, 1976 (41 FR 50677) and amended on February 4, 1977 (42 FR 6814).

62.4(40) Ore mining and dressing point source category. The following is adopted by reference: 40 CFR part 440 as promulgated November 6, 1975 (40 FR 51730), amended as shown in 40 Code of Regulations, Revised as of July 1, 1978 and amended on July 11, 1978 (43 FR 29771), February 8, 1979 (44 FR 7953) and March 1, 1979 (44 FR 11547).

- 62.4(41) Transportation point source category. Reserved.
- 62.4(42) Fish hatcheries and farms point source category. Reserved.
- 62.4(43) Paving and roofing materials (tars and asphalt) point source category. The following is adopted by reference: 40 CFR part 443 as promulgated July 24, 1975 (40 FR 31191).
- 62.4(44) Autos and other laundries point source category. Reserved.
- 62.4(45) Converted paper products point source category. Reserved.
- 62.4(46) Paint formulating point source category. The following is adopted by reference: 40 CFR part 446 as promulgated July 28, 1975 (40 FR 31725).
- 62.4(47) Ink formulating point source category. The following is adopted by reference: 40 CFR part 447 as promulgated July 28, 1975 (40 FR 31727).
- 62.4(48) Printing and publishing point source category. Reserved.
- 62.4(49) Steam supply and noncontact cooling water point source category. Reserved.
- 62.4(50) Reserved.
- 62.4(51) Clay, gypsum, refractory and ceramic products point source category. Reserved.
- 62.4(52) Concrete products point source category. Reserved.
- 62.4(53) Shore receptor and bulk terminals point source category. Reserved.
- 62.4(54) Gum and wood chemicals manufacturing point source category. The following is adopted by reference: 40 CFR part 454 as promulgated May 18, 1976 (41 FR 20544).
- 62.4(55) Pesticide chemicals manufacturing point source category. The following is adopted by reference: 40 CFR part 455 as promulgated November 1, 1976 (41 FR 48089), and amended on December 13, 1976 (41 FR 54181), February 8, 1977 (42 FR 7956), April 25, 1978 (43 FR 17776) and September 29, 1978 (43 FR 44845), as amended on October 4, 1985 (50 FR 40701).
- 62.4(56) Adhesives and sealants industry point source category. Reserved.
- 62.4(57) Explosives manufacturing point source category. The following is adopted by reference: 40 CFR part 457 as promulgated March 9, 1976 (41 FR 10184).
- 62.4(58) Carbon black manufacturing point source category. The following is adopted by reference: 40 CFR part 458 as promulgated May 18, 1976 (41 FR 20499) and amended on January 9, 1978 (43 FR 1343).
- 62.4(59) Photographic processing point source category. The following is adopted by reference: 40 CFR part 459 as promulgated July 14, 1976 (41 FR 29379).
- 62.4(60) Hospital point source category. The following is adopted by reference: 40 CFR part 460 as promulgated May 6, 1976 (41 FR 18777).
- 62.4(61) Battery manufacturing point source category. The following is adopted by reference: 40 CFR part 461.
- 62.4(62) Reserved.
- 62.4(63) Plastic molding and forming point source category. The following is adopted by reference: 40 CFR part 463.
- 62.4(64) Metal molding and castings point source category. The following is adopted by reference: 40 CFR part 464 as promulgated October 30, 1985 (50 FR 45247) and corrected on June 16, 1986 (51 FR 21760).
- 62.4(65) Coil coating point source category. The following is adopted by reference: 40 CFR part 465.
- 62.4(66) Porcelain enameling point source category. The following is adopted by reference: 40 CFR part 466 as amended on September 6, 1985 (50 FR 36540).

62.4(67) Aluminum forming point source category. The following is adopted by reference: 40 CFR part 467.

62.4(68) Copper forming point source category. The following is adopted by reference: 40 CFR part 468 as amended on August 23, 1985 (50 FR 34334), March 5, 1986 (51 FR 7570), and June 20, 1986 (51 FR 22520).

62.4(69) Electrical and electronic components point source category. The following is adopted by reference: 40 CFR part 469.

62.4(70) Reserved.

62.4(71) Nonferrous metals forming and metal powders. The following is adopted by reference: 40 CFR part 471 as promulgated August 23, 1985 (50 FR 34270), and corrected on January 22, 1986 (51 FR 2884).

Item 2. Amend rule 62.5(455B) to read as follows:

900--62.5(455B) Federal toxic effluent standards. The following is adopted by reference: 40 CFR part 129 as promulgated January 12, 1977 (42 FR 2643 and 2620) and amended on February 2, 1977 (42 FR 6532).

August 18, 1986

Larry J. Wilson, Director

Mr. Stokes stated that these rules are an update to bring state rules in conformance with federally adopted rules. They would not be more stringent than federal rules. Short discussion followed.

Motion was made by Linda Appelgate to adopt the Emergency Rule--Chapter 62 Revisions - Effluent Pretreatment Standards: Other Effluent Limitations or Prohibitions. Seconded by Catherine Dunn. Motion carried unanimously.

CHAPTER 40 REVISIONS AND CHAPTER 42 NEW--EMERGENCY RULE ADOPTION AND IMPLEMENTATION--TESTING OF CERTAIN PUBLIC WATER SUPPLIES FOR SYNTHETIC ORGANIC CHEMICALS AND PESTICIDES

Allan Stokes, Division Administrator, Environmental Protection Division, presented the following item.

Attached are copies of the above-referenced rules being proposed for emergency rule adoption pursuant to the requirements of RF 2303. Emergency rule adoption is necessary in order to complete the testing by January 1, 1988, to collect and consider the analytical data and to prepare and submit the required report to the General Assembly by April 1, 1988. The collection of samples must begin in November, 1986 because of the number of supplies being tested and the resulting workload that will be placed on the one laboratory selected to conduct all the analyses.

These rules provide the procedures and schedules for gathering water samples, the synthetic organic chemicals and pesticides for which each sample will be tested, the approved analytical methods for conducting the analyses, and the reporting of the analytical results to the Department.

WATER, AIR AND WASTE MANAGEMENT (900)
WATER, AIR AND WASTE MANAGEMENT COMMISSION
EMERGENCY ADOPTED AND IMPLEMENTED

Pursuant to the authority Section 1 of House File 2303, the Water, Air and Waste Management Commission adopts rules pertaining to the testing of certain public water supply systems for the presence of synthetic organic chemicals and pesticides.

In accordance with Section 1 of House File 2303, each public water supply system regulated under Iowa Code Chapter 455B which serves a city under Iowa Code Chapter 362 or serves a state-owned facility regularly housing two hundred or more persons, each benefited water district created under Iowa Code Chapter 357, and each rural water district created under Iowa Code Chapter 357A shall test the finished water of that water supply for the presence of synthetic organic chemicals and pesticides. These rules provide the procedures and months for gathering water samples, the synthetic organic chemicals and pesticides for which the samples are to be tested, the approved analytical methods for conducting the analysis of water samples, and the reporting of the analytical results to the department. The findings of the tests and the conclusions which may be drawn from them are to be submitted by the Department in a report to the General Assembly by April 1, 1988.

The Commission finds that public notice and participation are unnecessary and contrary to the public interest in this instance, in accordance with Iowa Code Section 17A.4(2). Although the Commission is given until January 1, 1988 to complete the testing, the number of water supply systems to be tested, the resulting work load on the one laboratory to be designated to conduct all analysis and the time required to gather and consider the analytical data and to prepare a report for the general assembly dictates that the sampling begin by November of this year. Emergency adoption of these rules is required to facilitate the implementation and completion of the Department's obligations under House File 2303.

The Commission also finds, pursuant to Iowa Code Section 17A.5(2)"b"(2), that the normal effective date of this rule, 35 days after publication, should be waived and the rule be made effective upon filing with the Administrative Rules Coordinator, August 25, 1986, as it confers a benefit upon the public to have the rules in effect immediately.

This rule implements Iowa Code Chapter 455B.

The proposed amendments to Rule 900--40.1(455B) and the proposed new Chapter 900--42(455B) are as follows:

Item 1. Amend the second unnumbered paragraph of rule 900--40.1(455B) to read as follows:

This chapter includes rules of practice, including forms, applicable to the public in the department's administration of the subject matter of this division. Chapter 41 contains the standards and specific permit procedures for the public water supply program. Chapter 42 provides special provisions for the testing of the finished water of certain water supplies for the presence of synthetic organic chemicals and pesticides. Chapter 49 provides minimum standards for the construction of private water wells.

Item 2. Adopt a new Chapter 42 as follows:

CHAPTER 42
SPECIAL MONITORING FOR PESTICIDES AND
SYNTHETIC ORGANIC CHEMICALS

900--42.1(455B) Authority, purpose and applicability.

42.1(1) Authority. Pursuant to House File 2303, Section 1, the department is authorized to conduct tests of the finished water of the water supplies listed in subrule 42.1(3) for the presence of synthetic organic chemicals and pesticides.

42.1(2) Purpose. The purpose of these rules is to provide the procedures for gathering water samples, the synthetic organic chemicals and pesticides for which the samples are to be tested, the analytical methods for conducting analysis of the samples, and the reporting requirements of the results to the department.

42.1(3) Applicability. The requirements of this chapter apply to each public water supply system regulated under Iowa Code Chapter 455B which serves a city under Iowa Code Chapter 362 or serves a state-owned facility regularly housing two hundred or more persons, each benefited water district created under Iowa Code Chapter 357, and each rural water district created under Iowa Code Chapter 357A.

900--42.2(455B) Sampling procedures and schedule.

42.2(1) Finished water samples shall be collected at representative locations within the distribution system. Sample collection shall be performed in the same manner necessary to satisfy the requirements of Chapter 41 of the Department's rules and in accordance with the instructions provided by the laboratory.

42.2(2) Samples shall be submitted to the state designated laboratory within 5 days of receiving the notice to sample by the department or designated laboratory.

42.2(3) Failure to conduct sampling as required by these rules may subject the water supply to administrative penalties a portion of which will be equal to the cost of sampling.

42.2(4) The sampling of the water supplies subject to the requirements of this chapter shall begin on November 1, 1986 and shall be completed by November 1, 1987.

900--42.3(455B) Pesticides and synthetic organic chemical contaminants. Tests shall be conducted for the presence of the contaminants listed in this rule.

42.3(1) Synthetic organic compounds.

- a. Benzene
- b. Bromodichloromethane
- c. Bromoform
- d. Chloroethylvinyl ether
- e. Chloroform
- f. Carbon tetrachloride
- g. Chlorobenzene
- h. 1,1 Dichloroethylene
- i. 1,2 Dichloroethane
- j. p-Dichlorobenzene
- k. 1,2 Dichloropropane
- l. o-Dichlorobenzene
- m. m-Dichlorobenzene

- n. 1,2 Dichloroethylene (total)
- o. Dichloromethane
- p. Dibromomethane
- q. Dichlorodifluoromethane
- r. 1,3 Dichloropropane
- s. 1,1 Dichloroethane
- t. 1,1 Dichloropropene
- u. 1,3 Dichloropropylene (total)
- v. Ethylbenzene
- w. Chlorodibromomethane
- x. Methylene chloride
- y. Styrene
- z. 1,1,1 Trichloroethane
- aa. Tetrachloroethylene
- bb. 1,2,3 Trichloropropane
- cc. 1,1,1,2 Tetrachloroethane
- dd. 1,1,2 Trichloroethane
- ee. Toluene
- ff. 1,1,2,2 Tetrachloroethane
- gg. Trichloroethylene
- hh. Vinyl chloride
- ii. Xylene (total)
- 42.3(2) Pesticides.
- a. Alachlor
- b. Aldrin
- c. Atrazine
- d. Banvel
- e. Beta-BHC
- f. Bladex
- g. Carbofuran
- h. Chlordane
- i. Counter
- j. DDD
- k. Diazinon
- l. Dieldrin
- m. Dyfonate
- n. Dual
- o. Endrin
- p. Gamma-BHC (Lindane)
- q. Heptachlor
- r. Heptachlor epoxide
- s. Lorsban
- t. Malathion
- u. McCap
- v. Methoxychlor
- w. Sencor
- x. Sutan
- y. Thimet
- z. Treflan
- aa. Toxaphene
- bb. Frowl
- cc. Amiben
- dd. 2,4-D
- ee. DDT

- ff. Ramrod
- gg. Bolstar
- hh. Endrin aldehyde
- ii. Silvex

900--42.4(455B) Analytical methods. Tests required to be conducted pursuant to this chapter shall be conducted using the analytical methods specified in this rule.

42.4(1) Pesticides except Banvel. EPA method 608 shall be used except that the serial extraction should be performed with 45% (by volume) methylene chloride in hexane and multiple chromatographic runs are needed to analyze for both the chlorinated hydrocarbon insecticides and the nitrogen and phosphorus containing herbicides and insecticides included in subrule 900--42.3(2). The chlorinated hydrocarbon insecticides shall be analyzed using either packed or capillary column (the latter is preferred to provide greater specificity) gas chromatography with electron capture detector; a confirmation run on a column (packed or capillary) having different retention characteristics shall be made for any observed compounds. The nitrogen and phosphorus containing herbicides and insecticides shall be analyzed using either packed or capillary column (the latter is preferred to provide greater specificity) gas chromatography with nitrogen and phosphorus specific detector; a confirmation run on a column (packed or capillary) having different retention characteristics shall be made for any observed compounds.

42.4(2) Banvel. Standard method 16th Edition 509B shall be used to test for Banvel.

42.4(3) Synthetic organic compounds. EPA method 524 (including quality control measures therein) except that three internal standards (bromochloromethane, 1,4-difluorobenzene, and chlorobenzene-d5) and three surrogate spike compounds (toluene-d8, p-bromofluorobenzene, and 1,2-dichloroethane-d4) shall be used with the corresponding quality control criteria as used in U. S. EPA's Contract Laboratory Program (data package not required).

900--42.5(455B) State designated laboratory.

42.5(1) Until April 1, 1988, the state designated laboratory shall upon request analyze the water samples collected pursuant to the requirements of this chapter.

42.5(2) The state designated laboratory shall provide copies of the analytical results of the water samples collected pursuant to this chapter to the water supply and to the department.

42.5(3) The fee for sample containers, instructions, postage and the analysis of water samples shall not exceed \$330.

August 18, 1986

Larry J. Wilson, Director

Charlotte Mohr asked if the oil overcharge refund money could be used for this project. Mr. Stokes stated funding would be provided by the communities

themselves. Chairman Schlutz asked if testing would be on raw as well as finished water. Mr. Stokes replied that it covers only finished water. The legislature opted for the finished water supply to be tested as this is the way it is pumped to the consuming public. Chairman Schlutz asked if we could use some of the overcharge rebate to do testing on raw water. Mr. Wilson commented it has to be energy related to use those funds, therefore he doubted we could use them.

Clark Yeager asked who determined the chemicals to be listed in this rule. Mr. Stokes replied it was determined by input from our staff, EPA experts basically within the University structure in Iowa. Mr. Yeager mentioned that some chemicals which are used quite regularly are not listed. He also commented that input was provided mostly from technical people and suggested that contacts should maybe be made with people who have some kind of a source on what is sold in the state.

Mr. Stokes described the reporting procedures for the analysis. Mr. Uhl suggested putting a disclaimer in the copy of analysis being sent to water supply operators stating it represents a testing of the water on a certain date, and may have very little to do with the quality of water they drink in view of all the insecticides, herbicides and pesticides being applied at the present time.

Motion was made by Nancy Lee Siebenmann to adopt Emergency Rule--Chapter 40--Revisions and Chapter 42 New--Emergency Rule Adoption and Implementation--Testing of Certain Public Water Supplies for Synthetic Organic Chemicals and Pesticides with the additional stipulation that referencing be done of the chemical suppliers. Seconded by Catherine Dunn. Motion carried unanimously.

Mr. Wilson stated he overlooked putting a spot on the agenda for Director's comments, and stated he will do that in the future. Chairman Schlutz stated he would like to have the monthly reports sent with the agenda packets rather than having handouts the morning of the meetings. Mr. Wilson commented that each Commissioner will be receiving a copy of the Iowa Conservationist magazine as well as the news releases in the future. He mentioned there is an article on the new Department of Natural Resources explaining the new department and showing an organizational chart.

Mr. Wilson reported the organizational changes are coming along rather well being 48 days into the mission. A good deal of improvement occurred when the phone system was put into place. He said one of the real problems we are having is the budget, and stated Stan Kuhn will give a budget report.

Mr. Kuhn reported that the reorganization bill made several major changes, one of them being there is no longer a State Comptroller's Office, but is now called the Department of Management. They are trying to have a more coordinated planning and budgeting function. Last week, they gave us directions on preparing an annual budget. We are now in an annual budgeting rather than biennial budgeting process. Mr. Kuhn stated we have a deadline of September 19 and would like the commissioners' input in terms of major changes or directions they want the agency to go.

Linda Appelgate commented the commissioners have not been receiving the personnel reports each month, and wondered if they would continue to receive them. Mr. Wilson said he hadn't planned to continue them, but if they wanted them reinstituted we certainly would provide them. Mr. Schlutz asked about reports on budgets and status against budgets particularly pertaining to environmental programs. Mr. Wilson stated that the information which was provided on overlays each month would be done by a smaller more capsulized report on the budget each month. He further explained that statements about the condition of the budget can be provided without tying up the time of a graphic artist putting together charts each month. Mr. Wilson said it would be helpful for the commissioners to know some of the serious problems we will be facing this year, and Stan Kuhn will be making an oral report monthly.

Discussion followed regarding policy decisions, budget, director's report, and the legislative committee. Mr. Wilson stated he hoped the commission would not continue a legislative committee and explained that the division administrators and bureau chiefs have met three times and put together a legislative packet which will be brought to the Environmental Protection Commission and the Natural Resources Commission for their approval. He said this tends to eliminate division conflicts on the same proposal, and asked the commissioners to give it some thought.

GROUNDWATER PROTECTION STRATEGY AND PLAN--UPDATE

James Combs, Division Administrator, Coordination and Information Division, presented the following item.

First drafts of the thirteen issue statements with policy and implementation strategy options will be distributed to the Commission at the meeting. Between now and the middle of October, these statements will be discussed with the members of the Technical Advisory Committee and the Program Advisory Committee. The material will be redrafted based upon the input received from these committees. The redrafted materials will be presented to the Commission at its October, 1986 meeting.

Public meetings will be held to gather general public input on the policy and implementation strategy options in November. The final policy and implementation recommendations along with appropriate legislative proposals will be assembled in November and December.

On January 15, 1987, the strategy and plan will be presented to the General Assembly as required.

Jim Combs gave a report on what approach we would use, and stated they would like the commissioners' input on these topics and documents within the next six weeks. We would like to have most of our comments in from the advisory committees by early or mid-October.

Richard Timmerman suggested that some of the commissioners be in attendance at the meetings of the Technical Advisory Committee and the Program Advisory Committee. The chair appointed Commissioners Gieselmann and Sietenmann to serve on this subcommittee and report back to the commission next month.

CONTRACT FOR GROUNDWATER PROTECTION SURVEY

James Combs, Division Administrator, Coordination and Information Division, presented the following item.

The Department requests approval to enter into a contract with a public opinion survey company for up to \$10,000 to determine the public's attitudes toward various groundwater protection strategy options. The survey and accompanying report are to be completed by October 15, 1986.

This survey will be used as a means of determining the level of general public support for some of the alternative strategies that might be employed to protect the state's groundwater resources. The results of the survey will be used along with the input of the Technical Advisory Committee and the Program Advisory Committee to develop a recommended groundwater protection strategy for adoption by the Commission.

Discussion followed regarding surveys on groundwater, whether other groups, agencies or organizations have taken polls which we could use. Mr. Combs stated there have been other surveys, but mostly on restricted areas and we are looking for a larger picture with a better distribution geographically, mainly a cross-section of Iowans. Bernie Hoyer, Energy and Geological Resources Division, stated there is a national survey he is trying to get a copy of, but this would be supplementary and does not necessarily reflect the same view as Iowans. Charlotte Mohr commented the Farm Bureau has an opinionnaire for each county, and possibly we could use their input.

Motion was made by Richard Timmerman to approve the contract for Groundwater Protection Survey providing the results of the survey are not received back from the firm until November 5, 1986. Seconded by Catherine Dunn. Motion carried unanimously.

UNION COUNTY BRIDGE PROJECT--PETITION FOR STAY OF FINAL DECISION

James Combs, Division Administrator, Coordination and Information Division, presented the following item.

On June 16, 1986, the Water, Air and Waste Management Commission reversed the hearing officer's decision and affirmed the issuance of a floodplain permit to Union County. On June 20, 1986, Arlo Wittstock, nearby landowner and original appellant of the department's decision to issue a permit, filed a petition for judicial review of the Commission's final decision. At the same time, Mr. Wittstock filed a petition for stay, requesting that the Commission suspend its final decision until the Polk County District Court determines whether it was proper. Mr. Wittstock's petition and Union County's resistance to that petition are attached.

Pursuant to 900 Iowa Administrative Code 7.14(9)"a"(2), the Commission may grant a stay when it concludes that substantial legal or factual questions exist as to the propriety of (its decision), the party will suffer substantial and irreparable injury without the stay, and the interest of the public will not be significantly harmed. Upon request, the Polk County District Court may

also order such a stay. Iowa Code Subsection 17A.19(5). If either the Commission or the court issues a stay, Mr. Wittstock must file an appropriate bond approved by the court. Iowa Code Subsection 455B.278(2).

Mr. Combs gave a brief explanation of this item and stated that representatives regarding this item were here today.

Skip Kenyon, County Attorney for Union County, presented an argument against the stay, and stated that Union County could be severely damaged if not allowed to proceed at this time. He said the stay is solely in the private interest of Mr. Wittstock as opposed to Union County as a whole.

Motion was made by Charlotte Mohr to deny the request for a stay of proceedings and go ahead with our original decision to allow Union County to build the bridge. Seconded by Wayne Gieselman.

Chairman Schlutz called for a roll call vote. "Yes" votes were cast by Commissioners Timmerman, Appelgate, Yeager, Gieselman, Mohr, Priebe, Siebenmann, Dunn and Schlutz. "No" vote was cast by Commissioner Uhl. Motion carried 9 to 1.

REFERRALS TO ATTORNEY GENERAL

James Combs, Division Administrator, Coordination and Information Division, presented the following item.

The Commission is requested to approve referral of the following to the Attorney General.

Burr Oak Motel, Algona--For collection of administrative penalty.

Outside Inn, Fort Madison--For collection of administrative penalties.

Ribeye and Rye, Postville--For collection of administrative penalties.

Robert Abild--For collection of administrative penalty.

Boyer Valley Co.--Prohibited wastewater discharge.

University Park--Failure to submit wastewater plan of action--tabled at July meeting.

Litigation reports have been provided to the Commission and are confidential pursuant to Iowa Code Section 22.7(4).

Burr Oak Motel, Algona--Mr. Combs reported that Burr Oak Motel has paid their fine; therefore, no action is needed.

Outside Inn, Fort Madison--Mr. Combs reported they have not paid their fine, and we request referral.

Motion was made by Richard Timmerman for referral to the Attorney General's Office. Seconded by Catherine Dunn. Motion carried unanimously.

Ribeys and Rys, Postville--Mr. Combs reported they have not paid their fine, and we request referral.

Motion was made by Wayne Gieselman for referral to the Attorney General's Office. Seconded by Charlotte Mohr. Motion carried unanimously.

Robert Abild--Mr. Combs reported we have received payment for that penalty; therefore, no action is needed.

Boyer Valley Co.--Mr. Combs reported this referral will be delayed as we did not get a notice out to them.

University Park--Mr. Combs reported we received an initial plan of action which is under review, and we would like to keep this referral tabled until September.

Mike Murphy gave an update on the status of each penalty due on the Summary of Administrative Penalties List.

Richard Timmerman stated he would like to pursue the topic Mr. Uhl and Mr. Wilson were discussing earlier regarding a legislative subcommittee and what the department is doing on putting together a legislative packet, and how that effort might be tied together. Mr. Uhl stated that over the years the commission's input as to legislation has come to be a valuable one and mentioned instances in the past when it has been very helpful to have a legislative committee made up of several commissioners. Mr. Uhl stated he feels the commissioners' lobby efforts should continue, and they should have a large role in the sifting out of what goes over and what bills to consider.

Mr. Wilson stated that we are probably not that far apart on the issues, and the items that are germane to this commission would come here for the commission's approval. He said if the commission would not approve them, they would not be included. If items that you want were left out of the legislative packet, we would add them. The same will be extended to the Natural Resources Commission. Mr. Wilson said the commission could form a legislative committee, but there might be some duplication of effort. He also stated that, as far as the commissioners going to the hill to lobby, he would have a real problem with not knowing who is over there and who is doing what. He commented he has always felt it is very necessary for someone to call the shots and oversee the whole operation. If we do not do that, we might not all be in the same position and say the same thing, and that is the main thing I am trying to avoid. Chairman Schlutz stated he doesn't think anyone is not in harmony on that because the legislative committee is not going to spend days over there lobbying and they want to go over there in unison.

It was decided that Clark Yeager would serve as rural representative on the legislative committee. Keith Uhl and Linda Appelgate will also serve on this committee.

Chairman Schlutz reported on the subcommittee on Design Standards for Wastewater Treatment Plants. He stated they met last week with the final panel who had to come up with the answers to some questions they had asked. It was a very good discussion and we had some very good results. He said he was really impressed with the people who served on the committee. They have

presented their findings to the staff and asked for their review. The subcommittee will meet with the staff again to discuss the direction they want staff to go as far as rulemaking and bringing it before the commission.

NEXT MEETING DATES

September 15-16, 1986

October 20-21, 1986

November 17-18, 1986

ADJOURNMENT

Motion was made by Gary Friebe to adjourn. Seconded by Catherine Dunn. Motion carried unanimously.

With no further business to come before the Environmental Protection Commission, Mr. Schlutz adjourned the meeting at 11:35-a.m., Monday, August 18, 1986.

Larry J. Wilson, Director

Charlotte Mohr, Secretary

DIRECTOR'S REPORT

Since I correspond to you weekly, I do not have a month's worth of events to report today through my Assistant Director, Bob Fagerland. I trust you find the weekly letter to be informative in helping keep you up-to-date on the issues. I will continue to schedule time on the agenda a director's report to give you an up-to-the-minute description of department activities

We are making progress on the FY 88 budget. A description of performance measures must accompany the FY 88 budget request, as per the mandate from the legislature. I want to emphasize that our budget outlook for this department is not good. In the Environmental Protection Division, federal funds will help alleviate some of the financial stress; but this division, like all others in the departments, has to prepare a budget that is 75% of the FY 87 budget, then prioritize budget decision packages to bring the funding level up to the amount for the current fiscal year. There is absolutely no guarantee of how successful we will be in receiving the funds for the total program we have put together. Other divisions in the department with few, if any, federal funds, are worse off. As we prepare for the 1987 legislature, we need to be cognizant of the financial restraints and watch closely additional mandates put on us by the legislature without funding to perform and accomplish these responsibilities.

We are now 73 days into reorganization, and every week that passes we solve a few more problems and continue to improve the department. Most all of our employees are to be commended for the good positive and cooperative attitude they have in these times. That helps!

I have staff working on a new emblem for the DNR. These will show up first on vehicles and officers' uniforms, and gradually prevail throughout the department. You will be one of the first to see it.

We are going to be working up a five-year plan to illustrate what the department's financial needs are. Mostly this will address facility maintenance and development, but all divisions will have an opportunity to be included. Hopefully, this will improve our success in obtaining some long-term, dependable capital financing for the agency.

Finally, the current issue of the Iowa Sierran has an article on an interview I had with their reporter that may be of interest to you.

Have a good meeting. I'll see you in October.